

UNITED STATES DISTRICT COURT

District of \_\_\_\_\_

UNITED STATES OF AMERICA

V.

**ORDER OF TEMPORARY DETENTION  
PENDING HEARING PURSUANT TO  
BAIL REFORM ACT**

Phillip Albert, James Gardner

*Defendant*

Case Number: 04-1809-CBS

Upon motion of the \_\_\_\_\_ Government \_\_\_\_\_, it is ORDERED that a

detention hearing is set for 7/2/2004 \* at 2:00 pm  
*Date* *Time*

before Charles B. Swartwood, III  
*Name of Judicial Officer*

Worcester, MA  
*Location of Judicial Officer*

Pending this hearing, the defendant shall be held in custody by (the United States marshal)

( \_\_\_\_\_ ) and produced for the hearing.  
*Other Custodial Official*

Date: 6/30/2004



/s/ Charles B. Swartwood, III

*Judicial Officer*

Digitally signed by /s/ Charles B. Swartwood, III  
DN: cn=/s/ Charles B. Swartwood, III, o=United  
States Magistrate Judge  
Date: 2004.07.02 12:31:46 -0400

\*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.